

House File 461 - Reprinted

HOUSE FILE 461
BY COMMITTEE ON LABOR AND
WORKFORCE

(SUCCESSOR TO HSB 150)

(COMPANION TO SF 321 BY
COMMITTEE ON WORKFORCE)

(As Amended and Passed by the House April 12, 2023)

A BILL FOR

1 An Act relating to boiler inspections.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 89.2, Code 2023, is amended by adding the
2 following new subsection:

3 NEW SUBSECTION. 5A. *"National board inspection code"* means
4 the manual for boiler and pressure vessel inspectors published
5 by the national board of boiler and pressure vessel inspectors.

6 Sec. 2. Section 89.3, Code 2023, is amended by adding the
7 following new subsection:

8 NEW SUBSECTION. 5A. *a.* The owner of an object that meets
9 all of the criteria in subsection 4, paragraph *"a"*, may request
10 from the director an internal inspection time period of longer
11 than two years, but not to exceed seven years, if the object
12 is an integral part of a continuous operation of a process
13 that is covered by and compliant with the occupational safety
14 and health administration process safety management standard
15 contained in 29 C.F.R. §1910.119 and has a planned outage
16 schedule that is longer than two years.

17 *b.* The director may grant the longer inspection interval
18 if the owner is able to demonstrate to the director that the
19 object is in compliance with the process safety management
20 standard contained in 29 C.F.R. §1910.119 and that the object
21 is included as process safety management process equipment in
22 the owner's process safety management program. In evaluating
23 the request, the director shall also consider whether the
24 object meets the requirements contained in the national board
25 inspection code, the object is fit for service based on the
26 year of fabrication and the estimated service life of the
27 object as determined by part 2 of the national board inspection
28 code, and the owner has implemented practices for managing
29 consumable items and ancillary equipment of the object. Upon
30 request by the director, the owner shall provide the director
31 with the findings of any previous inspections of the object
32 under this chapter.

33 *c.* If the director intends to deny the request, the director
34 shall contact the owner prior to the denial and provide an
35 opportunity for the owner to address the reasons for the

1 intended denial. If the board has not adopted rules pursuant
2 to section 89.14, subsection 11, the lack of adoption shall not
3 be grounds for the director not to consider a request for a
4 longer inspection interval pursuant to this subsection.

5 *d.* The owner of the object that is granted the longer
6 inspection interval shall comply with the requirements
7 contained in subsection 5, paragraph "b".

8 Sec. 3. Section 89.14, Code 2023, is amended by adding the
9 following new subsection:

10 NEW SUBSECTION. 11. The board shall adopt rules to allow
11 an extended internal inspection interval of up to seven years
12 for objects that are subject to inspection pursuant to section
13 89.5A.